



17

THIS ORDINANCE IS BEING RE-RECORDED IN THE STREET VACATION BOOK.
THIS ORDINANCE WAS PREVIOUSLY RECORDED IN DEED BOOK 4931
AT PAGE 0733.

R2
C2

TOWNSHIP OF WALL

ORDINANCE NO. 18 - 1989

AN ORDINANCE TO VACATE ALL THE PUBLIC RIGHTS AND EASEMENTS
IN A PORTION OF THAT STREET KNOWN AS CELESTE DRIVE LOCATED
IN BLOCK 804, LOTS 50 AND 57.

WHEREAS, pursuant to the requirements of the Planning
Board of the Township of Wall, Barrymor Enterprises, Inc.,
the developer, has filed maps dedicating portions of two lots
to the Township to be used as a cul-de-sac at the end of Celeste
Drive in Weshnak Manor subdivision; and

WHEREAS, the developer has subsequently extended Celeste
Drive so that it no longer ends at such location, but instead
continues through such location; and

WHEREAS, the developer has requested that the Township
vacate all public rights in the portion of such two lots which
were the subject of the dedication, convey the fee rights
in same to the owners of the two lots, and retain utility
easements in the same; and

WHEREAS, the Township Committee has determined that the
fee rights in the areas covered by such dedication are no
longer needed by the Township; and

WHEREAS, the Developer has agreed to pay to the Township
all of its costs in connection with such vacation;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee
of the Township of Wall in the County of Monmouth and State

DB4931-0733

of New Jersey, as follows:

Section 1. There is hereby vacated, released and extinguished all of the public rights in the fee which may exist in and to two portions of that street known as Celeste Drive, which are more particularly described as follows and as set forth in Schedule A annexed hereto:

Parcel 1: **BEGINNING** at a point in the Northerly line of Celeste Drive, distant 146.37 feet on a course of North 78 degrees 00 minutes 00 seconds East from the point of intersection of the Easterly line of Murray Drive, extended Southwardly with the aforesaid Northerly line of Celeste Drive, extended Westwardly and running from said **BEGINNING** point (1) Northeastwardly along the aforesaid Northerly line of Celeste Drive along the arc of a curve having a radius of 70.00 feet and bearing to the left an arc distance of 54.26 feet to a point of reverse curvature, thence (2) Northeastwardly, Eastwardly, and Southeastwardly along the Northerly line of a cul-de-sac at the Easterly end of Celeste Drive along the arc of a curve having a radius of 70.00 feet and bearing to the right an arc distance of 133.32 feet to a point, thence (3) South 78 degrees 00 minutes 00 seconds West along a proposed new line 161.22 feet to the point or place of **BEGINNING**. Containing 3,774.22 square feet.

Parcel 2: **BEGINNING** at a point in the Southerly line of Celeste Drive, distant 77.33 feet on a course of North

78 degrees 00 minutes 00 seconds East from the point of intersection of said Southerly line with the Westerly line of Lot 57, Block 804, Final Map of Weshnak Manor, Section 2 (also known as Lot 57, Block 804, Wall Township Tax Map) and running from said **BEGINNING** point (1) North 78 degrees 00 minutes 00 seconds East along a proposed new line, 161.22 feet to a point of curvature, thence (2) Southwestwardly, Westwardly, and Northwestwardly along the Southerly line of a cul-de-sac at the Easterly end of Celeste Drive along the arc of a curve having a radius of 70.00 feet and bearing to the right an arc distance of 133.22 feet to a point of reverse curvature, thence (3) Northwestwardly, Westwardly, and Southwestwardly continuing along the Southerly line of Celeste Drive along the arc of a curve having a radius of 70.00 feet and bearing to the left an arc distance of 54.26 feet to the point or place of **BEGINNING**. Containing 3,774.227 square feet.

Subject to Section 2 of this Ordinance, Parcel 1 is hereby conveyed to James Zipagan and Asuncion Zipagan, 1822 Celeste Drive, Wall, New Jersey, the owners of the fee of the remainder of Block 804, Lot 50. Subject to Section 2 of this Ordinance, Parcel 2 is hereby conveyed to Victor Iorio, Jr. and Christine Iorio, 1823 Celeste Drive, Wall, New Jersey, the owners of the fee of the remainder of Block 804, Lot 57.

Section 2. The Township of Wall hereby specifically makes the aforesaid conveyances subject to the retention by

the Township of Wall of a non-exclusive easement in, across, under and over the property so conveyed for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing or replacing any utility facility or appurtenance as may in the judgment of the Township from time to time be necessary or desirable. The Township of Wall shall have the right to enter in and upon any portion of the property so conveyed with men, material, and machinery and both vehicular and pedestrian traffic at any and all times as may reasonably be required for the purpose of constructing, maintaining, repairing, renewing, or adding to the aforesaid utility facilities and appurtenances, without the furnishing of notice to the owners of the fee thereof or their successors in title, as the case may be, but nothing contained herein shall be deemed to release or discharge the owners of the property so conveyed and their successors in title from the obligations imposed upon them by the Ordinances of the Township of Wall to maintain the said property.

Section 3. This Ordinance shall take effect immediately upon its passage and publication according to law.

R+R
#1152
(will TNP
as per
letter)

1942
McLaughlin, Bennett, Nelson
1305 Campus PKWY
Nedune, Nj 07753

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on April 4, 1989 and will be further considered for final passage and adoption at a meeting of the Township Committee of the Township of Wall at the Municipal Courtroom, Police Headquarters Building, Allaire Road, Township of Wall, on April 26, 1989 at 8 P.M. or as soon thereafter as the matter can be reached on the Agenda, at which time and place all persons interested therein shall be given an opportunity to be heard and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Township Hall, to the members of the general public who shall request the same.

Beatrice M. Gassner
BEATRICE M. GASSNER, Township Clerk

CHG ACCT 555

Chg 29

R+R

John Jay Maggini, Esq.

Bldg. 2 Suite 303

2517 Hwy. 35

Madagascar, L.J. 08736

CLERK'S OFFICE
MONMOUTH COUNTY
NEW JERSEY

INSTRUMENT NUMBER
1999187317

RECORDED ON
Dec 03, 1999
9:51:52 AM
BOOK:VR-11
PAGE:268

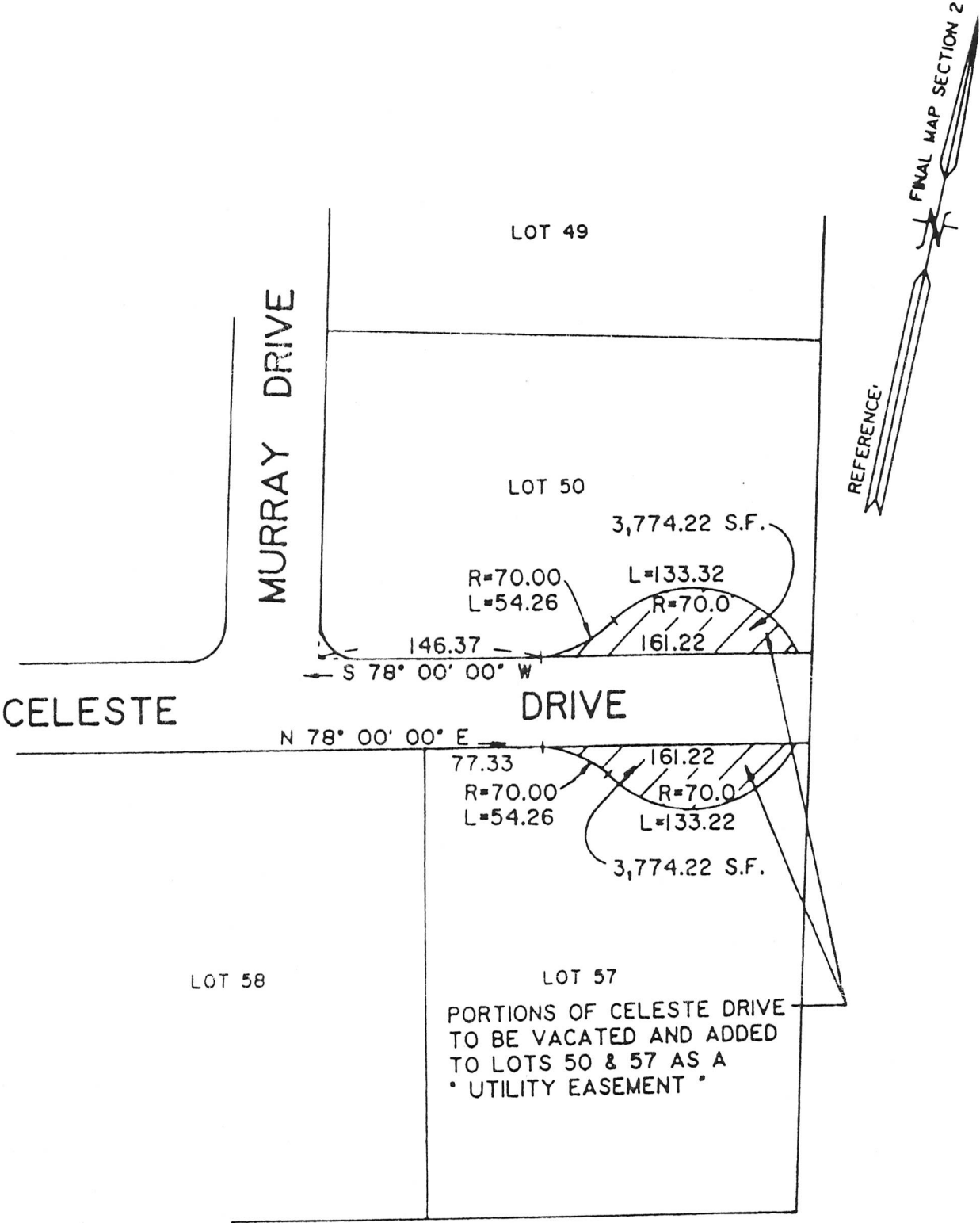
Total Pages: 6

COUNTY RECORDING FEES \$25.00
DEDICATED TRUST FUND COMMISSION \$2.00
TOTAL \$27.00

RECORDED
MONMOUTH COUNTY
CLERK'S OFFICE
JAN 17 1999
JANE G. CLAYTON
COUNTY CLERK
FREEHOLD N.J.

-5-

DB4931-0737



<p>Title:</p> <p>PLAN OF ROAD VACATION & PROPOSED UTILITY EASEMENT</p> <p>In the TOWNSHIP OF WALL</p> <p>MONMOUTH COUNTY , NEW JERSEY</p>	<p>Description: Lot, Block & Map</p> <p>LOTS 50 & 57 , BLOCK 804</p> <p>FINAL MAP OF WESHNAK MANOR</p> <p>SECTION 2</p> <p>ALSO KNOWN AS LOTS 50 & 57</p> <p>BLOCK 804 WALL TOWNSHIP TAX</p> <p>MAP</p>
---	---

Certified To:

<p>REVISIONS</p> <p>DB4931-0738</p>	<p>BIRDSALL ENGINEERING, INC.</p> <p>SOUTH BELMAR, N.J.</p> <p>Professional Engineers, Land Surveyors & Professional Planners</p> <p><i>Robert L. Farry</i> Date 4/15/88</p> <p>ROBERT L. FARRY L.S. LIC. NO. 13444</p> <p>Job No. 24,510.205 Scale 1" = 100'</p>
-------------------------------------	---